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State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil Gas and Mining

JOHN R. BAZA
Division Director

April 30, 2007

Vern Tharp
Moss Rock Products, LLC
5040 Acoma Street
Denver, CO 80216

Subject: Complete Notice of Intention to Commence Small Mining Operations, Moss Rock Products, LLC, Klingon Rock Operations, S/049/060, Task ID# 1644, Utah County, Utah

Dear Mr. Tharp:

The Notice of Intent to Commence Small Mining Operations (NOI), received by the Division December 6, 2006 and revised February 22, 2007, is now complete. You have requested a variance from Rule R647-3-107 to not salvage soils prior to mining. Justification for this variance included plans that a screen will be set up to screen out fines/soil materials which will then be amended as needed for suitable plant growth material. The Division concurs that this will be as affective as salvaging the limited soil material on site and hereby approves the requested variance.

Before you may begin operations, you will need to provide the reclamation surety for this site. The surety amount for this site has been determined to be \$10,000.00 (\$2,000 per acre for the 5-acre permit). This amount is less than the average cost/acre normally used by the Division for small mining operations. The reduction is based on the plans provided with your Notice indicating there will be no large pits to regrade. This substantially reduces the reclamation costs.

Please contact Ms. Beth Ericksen, Division Minerals Surety Coordinator to complete the reclamation surety and submittal of the reclamation contract. She can be reached at (801) 538-5318 or bethericksen@utah.gov.

In reply, please refer to file number S/049/060. Thank you for your cooperation.

Sincerely,

Susan M. White
Mining Program Coordinator
Minerals Regulatory Program

SMW:lk:pb

cc: Peggy Kelsey, Utah County

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